REMARKS

This application has been reviewed in light of the Office Action dated June 8, 2005. Claims 1, 2, 4, 7, 8, 11, 13, 21, 22, 29 and 31-44 are presented for examination, of which Claims 1, 7, 11, 21, 29, 42 and 43 are in independent form. Claims 1, 2, 4, 7, 8, 11, 21, 22, 29 and 31-43 have been amended to define still more clearly what Applicants regard as their invention. Claim 44 has been added to assure Applicants of a full measure of protection of the scope to which they deem themselves entitled.

Claims 1, 2, 4, 7, 8, 11, 13, 21, 22, 29 and 31-43 were rejected under 35 U.S.C. § 103(a) as being obvious from U.S. Patent 6,460,030 B1 (Ludtke).

Independent Claim 1 is directed to a network system comprising a server, a client, and a device, the server, client and device each being connected to a network. According to Claim 1, the server comprises a first storage unit, adapted to store (i) position information defining a position of the device and (ii) a network address of the device. The server also comprises a first transmission unit, adapted to transmit the position information and the network address stored by the first storage unit to the client via the network. According to Claim 1, the device comprises a second storage unit, adapted to store icon data indicating an icon for the device, and a control unit, adapted to transmit the icon data stored by the second storage unit to the client via the network. Also, according to Claim 1, the client comprises a first reception unit, adapted to receive the position information and the network address transmitted by the first transmission unit via the network. The client also comprises a second transmission unit, adapted to transmit a request to the device based on the network address received by the first reception unit so as to acquire the icon data stored in the second storage unit from the device via the network, and a second reception unit, adapted to receive the icon data transmitted by the control unit via the

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network. Also provided for the client, according to Claim 1, are a first display unit,

adapted to display the position of the device defined by the position information received

by the first reception unit, and a second display unit, adapted to display the icon indicated

by the icon data received by the second reception unit.

Although Applicants believe that *Ludtke* has been adequately discussed in

previous papers, they will nonetheless repeat a portion of that discussion, for the sake of

clarity.

Ludtke relates to techniques for searching through stored data that may be in

any of several devices on an audio visual network. Search criteria are defined at a

controller device, and are contained in a command structure transmitted from the controller

device to a target device, which recognizes the command as such, and performs the search.

In particular, the controller transmits a search request to a proxy device (proxy for the

target device), and receives an identifier to access data from the proxy device. The

controller further receives selected data from the target device (col. 12, lines 1-47). That is,

if any data on the target device match the criteria, those data are identified, and that

identifier, together with a location identifier that indicates the location of the matching

data, is sent back from the target device to the controller device. The identifier information

in the response is sufficient for the controller device to access the matching data. This is

illustrated in fuller form in Figs. 3 and 4A - 5D of *Ludtke*. In the embodiment illustrated in

Figs. 5A - 5D, a controller device 12 receives an identifier to access data from a proxy

device 520, which serves as a proxy for the target device. The proxy device 520 analyzes

the data content of the target device, and receives and processes the command structure

from the controller device to perform the requested search. During this period, the network

does not have to (and does not) carry traffic related to this search (col. 12, lines 30 and 31).

The proxy device then sends the identifier information resulting from the search to the controller device, which can then use this information to access the actual data in the target device (col. 12, lines 32-40).

Among other notable features of the system recited in Claim 1, is that the position information defining the position of the device and the network address of the device, both stored in the server itself, are transmitted to the client, and the client uses the position information transmitted from the server to display the position of the device. Moreover, the client uses the network address transmitted from the server to acquire icon data from the device.

Ludtke does not at all teach or suggest the above-mentioned feature. In the *Ludtke* apparatus, the proxy device transmits the information for accessing the media object to the controller device. Here, if the media object is confronted with the icon data of the invention, the information for accessing the media object can be confronted with the network address of the invention. Even if it is conceded for argument's sake that *Ludtke* suggests a client receiving a network address for acquiring icon data, however, Applicants urge strongly that nothing in that patent would remotely provide one of only ordinary skill with any suggestion of a client receiving position information defining a position of a device, separate from a mere network address. Much less could anything in *Ludtke* have suggested displaying the position of a device based on such position information, as recited in Claim 1.

In the system of Claim 1, the client receives both the information (the network address of the device) for acquiring the icon data and the information (the position information defining the position of the device) for displaying the position of the device

from the server. Applicants submit that nothing in *Ludtke* would even hint at any

arrangement in which this is the case.

For all these reasons, it is believed to be clear that Claim 1 is allowable over

Ludtke.

Independent Claims 7, 21 and 29 are processor, method, and storage

medium claims respectively corresponding to the client of system Claim 1, and are

believed to be patentable over *Ludtke* for at least the same reasons as discussed above in

connection with the features of the client as recited in Claim 1. Additionally, independent

Claims 42 and 43 include features, displaying the position of the device defined by the

received position information and the icon indicated by the received icon data, similar to

those of Claim 1. Accordingly, Claims 42 and 43 are believed to be patentable over

Ludtke, for reasons substantially the same as those discussed above in connection with that

aspect of the system of Claim 1.

Independent Claim 11 is directed to a device for processing a job requested

via a network. The device of Claim 11 comprises a first storage unit, adapted to store (i)

position information indicating a position of the device and (ii) a network address of the

device, and a second storage unit, adapted to store a plurality of icon data representing

different statuses of the device. Also provided are a judgment unit, adapted to judge a

status of the device, and a selection unit, adapted to select icon data representing the status

of the device as judged by the judgment unit, from among the plurality of icon data stored

in the second storage unit. A control unit transmits the selected icon data via the network.

Among other notable features of the device of Claim 11 is the device stores

a plurality of icon data representing different possible statuses of the device, judges the

status of the device (that is, judges its own status), and transmits the icon data representing the judged status.

Applicants strongly urge that nothing has been found, or pointed out, in *Ludtke* that would teach or suggest the above-mentioned feature. In the *Ludtke* apparatus, the target device transmits the media object to the controller device. Here, there is a possibility that the target device has plural media objects, but the media object of the target device does not represent the status of the target device. In other words, the media object in *Ludtke* does not appear to suggest in any way the icon data recited as being stored in the device of Claim 11. Moreover, in the *Ludtke* apparatus, even if the media object is transmitted to the controller device, it is quite unnecessary for the target device to judge its own status – and of course, the media object is actually not in any way relevant to the status of the target device.

Applicants submit that in fact nothing in *Ludtke* would teach or suggest the recited a second storage unit, that stores a plurality of icon data representing different statuses of the device to which the second storage unit belongs, and moreover does not teach or suggest the recited judgment unit, which is adapted to judge a status of the device to which the judgment unit belongs. *A fortiori*, Applicants submit that nothing in that patent *Ludtke* could suggest the recited selection unit, since the selection unit is recited as being adapted to select icon data representing the status judged by the judgment unit, from among the plurality of icon data stored in the recited second storage unit, and since nothing corresponding to either the second storage unit, nor its contents, nor the judgment unit, is present or hinted at in *Ludtke*, that patent cannot suggest a unit that would perform a selection based on operations performed by those units.

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Accordingly, it is believed that Claim 11 also is clearly allowable over *Ludtke*.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration or reconsideration, as the case may be, of the patentability of each on its own merits is respectfully requested.

In this regard, Applicants particularly note that, while they have removed from the independent claims all mention of hierarchical position, nothing in *Ludtke* is seen to teach or suggest such information as it was previously recited in those claims. Newly added Claim 44, dependent from Claim 1, recites that the position information about the device includes such hierarchical position information ("information that defines the position of said device in a plurality of hierarchical layers"). For at least the following reasons, it is submitted that Claim 44 is further patentable because of this recitation.

The issue relating to this recitation is simply, whether *Ludtke* discloses "hierarchical position information defining a position of a device in a plurality of hierarchical layers", and the use of such information. As best as can be determined from the discussion in the Office Action, it is understood that the Examiner believes that such information is inherent in, or at least obvious to use in, the lists that are returned as search results in *Ludtke*. Such view, however, is incorrect, since such a list could be organized in

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any of many ways (e.g., by network address, by manufacturer of the devices listed, etc.), and a feature cannot be deemed to be inherent in a reference unless there is no way for the feature not to be present. Moreover, since the organization of those lists is not discussed or alluded to in *Ludtke*, the Examiner is essentially asserting that because in her view the organization in various hierarchical manners is well-known in computer science, all possible uses of hierarchical information — and in particular, the specific recited use of hierarchical *position* information — would be obvious. Applicants cannot agree, and submit that a person of merely ordinary skill would not be motivated in any way, by anything in *Ludtke*, to use the recited type of information, much to use it in the specific way recited in Claim 44.

      In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

      Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

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